



**THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Serial No. : 09/413,984  
Applicant : Toshiya KITAMURA  
Filed : October 7, 1999  
For : NEGATIVE ELECTRODE ACTIVE  
MATERIAL FOR USE IN ...  
Art Unit : 1745  
Examiner : T. Dove  
Docket No. : 990630/HG  
Customer No.: 01933  
Confirmation No.: 2673

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dorothy DeFrancesco

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**SECOND AMENDMENT UNDER 37 CFR 1.116**

S I R :

Responsive to the Office Action mailed September 5, 2003  
(Paper No. 23), the term for response to which is extended one  
month by a PETITION FOR EXTENSION OF TIME filed concomitantly  
herewith to expire on January 5, 2004, please amend the above-  
identified application as follows. An AMENDMENT UNDER 37 CFR  
1.116 was filed on December 4, 2003. During a telephone  
interview between the undersigned and the Examiner on January 5,  
2004, the Examiner said that said AMENDMENT UNDER 37 CFR 1.116  
filed on December 4, 2003 was not entered.

**Amendments to the Claims** are reflected in the listing of claims  
which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.